

Honorable Benjamin H. Settle

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LDK SOLAR CO., LTD, a People's Republic
of China corporation,

Plaintiff,

vs.

SILICON & SOLAR, LLC, a Washington
limited liability company; SILICON &
SOLAR MFG., LLC, a Washington limited
liability company; RMD HOLDINGS, LLC, a
Washington limited liability company;
ECOTECH RECYCLING, LLC, a Washington
limited liability company; RENIE M.
DUVALL; JOHN DOE DUVALL; and the
marital community comprised of RENIE M.
DUVALL and JOHN DOE DUVALL,

Defendants.

NO. 3:09-cv-5518 BHS

STIPULATED MOTION AND
PROPOSED ORDER

NOTE ON MOTION CALENDAR:

May 5, 2010

Clerk's Action Required

STIPULATED MOTION

Plaintiff LDK Solar Co., Ltd paid defendant Silicon & Solar, LLC for product that
Silicon & Solar, LLC did not deliver. Silicon & Solar, LLC contends that it has been unable to

STIPULATION AND PROPOSED ORDER
(3:09-cv-5518 BHS)

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1 deliver the product because its subsuppliers have not honored their contracts to deliver raw
 2 materials or delivered substandard and nonconforming materials. Accordingly, LDK Solar Co.,
 3 Ltd. and Silicon & Solar, LLC jointly move to stay this action for six months' time so that they
 4 may together determine whether it would be profitable to cooperatively pursue Silicon &
 5 Solar's subsuppliers to effect additional recoveries. LDK has conducted discovery and Silicon
 6 and Solar as well as the individual defendants have fully responded with information in a
 7 timely fashion. The individual defendants have no objections to the stay

8 No later than November 5, 2010 LDK Solar Co., Ltd. will inform the Clerk of the Court
 9 whether LDK Solar Co., Ltd. will dismiss its claims against Silicon & Solar, LLC and/or the
 10 remaining defendants; jointly seek another stay; or ask that this case be reinstated on the
 11 Court's calendar.

12 DATED this 5th day of May, 2010.

13 BETTS, PATTERSON & MINES, P.S.

14
 15 By /s/ James D. Nelson

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By /s/ Stephanie Bloomfield

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Attorneys for Defendants

ORDER

Pursuant to the foregoing stipulation of the parties, IT IS SO ORDERED.

DATED: _____

UNITED STATES MAGISTRATE JUDGE

Lodged by:

BETTS, PATTERSON & MINES, P.S.

By /s/ James D. Nelson

James D. Nelson, WSBA #11134

Victoria M. Pond, WSBA #33159

Attorneys for Plaintiff LDK Solar Co., Ltd

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